

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JOSEF KALMENSON on behalf of himself and
all other similarly situated consumers,

Plaintiff,

-against-

GC SERVICES LIMITED PARTNERSHIP,

Defendant.

Case No.

1:16-cv-04340-KAM-ST

STIPULATION OF DISMISSAL

Plaintiff and Defendant file this stipulation of dismissal under Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

1. Plaintiff moves to dismiss his suit.
2. Defendant, who has served an answer, agrees to the dismissal.
3. In this case, a class has not been certified. This case is not a derivative action under Federal Rule of Civil Procedure 23.1 or an action related to an unincorporated association under Rule 23.2.
4. A receiver has not been appointed in this case.
5. This case is not governed by any federal statute that requires a court order for dismissal of the case.
6. Plaintiff has not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.
7. This dismissal is with prejudice.

Respectfully submitted,

Dated: Brooklyn, New York
December 23, 2016

Dated: Houston, Texas
December 23, 2016

By: /s/ Maxim Maximov
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